

“ OIL SPILL REMEDIATION UPDATE WITH DEP AND EPA “

Morgan County Commission Meeting
January 19, 2018

Members present:

Commissioner Joel Tuttle, President
Commissioner Robert Ford
Commissioner Ken Reed

Also present: Lawrence Thomas; County Administrator, Kim Nickles, County Clerk, Kate Lehman, WSWA, Rebecca Macleod, WSWA, Dick Myers, OHSEM, Jon Brook, WSWA, Gerry Crispino, WVDEP, Vince Cichocki, Facilities Manager, Tricia Strader, Journal, Peggy Oakes, Commission Admin. Assistant

By phone: Don McLaughlin, EPA

Public present: See attached sign in sheet

The meeting was opened by Kimberly Nickles, Honorable County Clerk,
at 11:05 a.m.

Conference call with Don McLaughlin, EPA

Commission Ford states that he and President Tuttle went to the site Williams Street oil spill when it first happened. Mr. Cichocki, our Facilities Manager had enough material from the last oil spill to confine this one. Don McLaughlin, EPA has been to this site. A call to the oil spill hot line was made.

Commission Ford expressed his concern on how are we going to pay for this spill, that OES has kept track of the cost. A Geo-probe was done in the soil at the site. How does the EPA make the coverage on the cost? Going forward to pay the cost of this spill will be well over \$40,000.00, and climbing and that the property owner does not have the money.

Don McLaughlin, EPA states that once the completion of the oil spill cleanup is done, to submit all forms and receipts to the Natural Pollution Fund Center. He will also include a letter from himself stating our efforts to handle and process this oil spill in a correct and timely manor.

A 90 day notice to the homeowner must be sent to respond for payment. With the declined payment from the homeowner, the forms from the Natural Pollution Fund Center needs to be complete, and that he (Don McLaughlin) will help us understand and fill these forms out.

President Tuttle states that the county does not have the money to pay for these clean ups by private homeowners. EPA and DEP do not have funds or is responsible to clean this oil spill up. They provided absorption pads and a plan.

Gerry Crispino, WVDEP asked Don McLaughlin, EPA can the project be finalized and submit the bill to EPA? Don McLaughlin, EPA responded that a 90 day notice to the homeowner must be sent to respond for payment. With the declined payment from the homeowner, the forms from the Natural Pollution Fund Center need to be completed.

Commissioner Ford asked is there an assurance that Morgan County will get back the funds being spent on this oil spill cleanup?

Don McLaughlin, EPA indicated that the Natural Pollution Fund Center make their discussion on re-imbusement of funds when the finalized bill is submitted with their forms.

Commissioner Ford wants some kind of assurance that Morgan County gets back the money back. That maybe Don McLaughlin, EPA can go to someone, or knows someone that could help in that aspect.

Don McLaughlin, EPA will forward this information to Dick Myers a person to make contact with. Don McLaughlin, EPA cannot guarantee that all the money will be refunded. That with the detailed bills, receipts, and the forms from the Natural Pollution Fund Center and a letter from himself stating our efforts to handle and process this oil spill in a correct and timely manner, he does not see why not.

Commissioner Reed asked what is the turnaround time for this refund of money to come back to Morgan County.

Don McLaughlin, EPA stated that one (1) to three (3) months.

County Administrator, Larry Thomas stated that there is a cash flow management issue, and that we must maximize the total refund back to Morgan County. That maybe our local DEP can do a stamp of approval to make it got through with flying colors. Gerry Crispino, DEP stated he would do that.

President Tuttle has concern about the Mo/Ho will have to be removed in order to remove the contaminated soil. The Mo/Ho is over 40 years old and could very well be broken in transit leaving the property owner homeless.

Commissioner Ford suggested that the contaminated dirt could be dug out by hand.

Dick Myers will plan on going forward to inform the property owner of the counties intension of the oil removal.

County Administrator, Larry Thomas indicated that this is a 3 part project. That we need to proceed by the DEP and EPA recommendations in order to get a full refund.

Gerry Crispino, WVDEP stated that we could remove the dirt from the property, or dig an open ditch, but would take years for the oil to evaporate.

Commissioner Ford has concerns that the property is in a flood plain, and when spring comes with high water, the oil will be exposed and go into the run.

Gerry Crispino, WVDEP with us taking a proactive approach will help us get a refund from the Natural Pollution Fund Center.

County Administrator, Larry Thomas recommends that the Commissioners need to sit back down and make a decision on removing the contaminated dirt.

Commissioner Ford would like to move ahead and remove the contaminated dirt from the property. To have Vince Cichocki get a list of contractors from DEP that handle contamination. To advertize the project and get bids out.

County Administrator, Larry Thomas will have a RFP ready for the Commission Meeting on February 1st, 2018.

"Commissioner Ford made a motion to see bids, and RFP, President Tuttle 2nd, Motion carried."

Kate Lehman, WSWA thanked the Commissioners for handing the oil spill quickly, and effectively, and notified the property owner their responsibility. She would like to see an ordinance to be put into place for future use.

Commissioner Ford informed us that when the Flood Plain Ordinance was redone, oil tanks were not included. This will be addressed in the future to solve this problem. That the people who live in the Flood Plain and refuse to move their tanks, that there are steps and consequences that will be involved thru FEMA.

President Tuttle made a motion to recess the meeting, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried at 12:10pm

Morgan County Commission MEETING SIGN-IN SHEET

DATE: 1-19-18		Sheet: Of:		
NO.	NAME	REPRESENTING	PHONE #	E-MAIL ADDRESS
1	Kate Lehman	LJS WA	304-741-0717	goldfairy39@gmail.com
2	Rebecca MacLeod	WS WA	304-258-7908	rebecca.macleod@frontier.com
3	Tricia Strader	Journal		
4	Diana Myers	MC OHSEM	304-267-3145	dmyers@morgancounty.wv.gov
5	Anna Galt	MCPC		
6	Jon Brook	WSWA	258-7910	
7	Gerry Crispino	WVDEP		
8	Vince Cichocki	Facilities		
9	Den McLaughlin - EPA (on phone)			
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